

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 2:02cr
)	
v.	)	21 U.S.C. § 846
	)	Conspiracy to Distribute and
GILBERTO DOLOT CALCETA	)	Possess With Intent to
(Counts 1-4, 7)	)	Distribute Methamphetamine
	)	(Count 1)
)	
JOSEPH CAYANAN JAVIER	)	21 U.S.C. 841(a)(1)
(Counts 1, 8)	)	Distribution and Possession
	)	With Intent to Distribute
	)	Methamphetamine
EUGENE VELASCO GALATY	)	(Counts 2-4, 6-9)
(Counts 1, 5, 6, 9))	
	)	18 U.S.C. § 2
	)	Aid and Abet the Distribution
	)	of Methamphetamine
	)	(Count 5)
)	
	)	21 U.S.C. § 853
	)	Criminal Forfeiture
)	

INDICTMENT

September 2002, Term - at Norfolk, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

From in or about Spring, 2001, the exact date being unknown to the grand jury, and continuously thereafter up to and including March 18, 2002, in the Eastern District of Virginia and elsewhere, GILBERTO DOLOT CALCETA, JOSEPH CAYANAN JAVIER, and EUGENE VELASCO GALATY, defendants herein, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree with one another and with other persons both known and unknown to the grand

jury to commit the following offenses:

1. To unlawfully, knowingly and intentionally distribute 50 grams or more of methamphetamine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vii);

2. To unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of methamphetamine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vii);

3. To unlawfully, knowingly and intentionally distribute 500 grams or more of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vii);

4. To unlawfully, knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vii);

OVERT ACTS

In furtherance of the conspiracy and to accomplish the purposes thereof, the following overt acts, among others, were committed in the Eastern District of Virginia and elsewhere:

1. In or about Spring, 2001, at Chesapeake, Virginia, GILBERTO DOLOT CALCETA distributed approximately 2 grams of a

mixture and substance containing methamphetamine.

2. On or about June 21, 2001, at Virginia Beach, Virginia, GILBERTO DOLOT CALCETA distributed approximately 1 gram of a mixture and substance containing methamphetamine.

3. On or about September 19, 2001, at Virginia Beach, Virginia, GILBERTO DOLOT CALCETA distributed approximately .89 grams of a mixture and substance containing methamphetamine.

4. In or about November, 2001 at Norfolk, Virginia EUGENE VELASCO GALATY aided and abetted the distribution of approximately 1 gram or more of a mixture and substance containing methamphetamine.

5. On or about January 17, 2002, at Norfolk, Virginia, EUGENE VELASCO GALATY distributed approximately 3.2 grams of a mixture and substance containing methamphetamine.

6. On or about March 18, 2002, at Northampton County, Virginia, GILBERTO DOLOT CALCETA, JOSEPH CAYANAN JAVIER and EUGENE VELASCO GALATY possessed with intent to distribute approximately 41 grams of methamphetamine.

(All in violation of Title 21, United States Code, Section 846.)

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

In or about Spring, 2001, at Chesapeake, Virginia within the Eastern District of Virginia, GILBERTO DOLOT CALCETA did unlawfully, knowingly and intentionally distribute approximately 2 grams of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 21, 2001, at Virginia Beach, Virginia, within the Eastern District of Virginia, GILBERTO DOLOT CALCETA, did unlawfully, knowingly and intentionally distribute approximately 1 gram of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 19, 2001, at Virginia Beach, Virginia,

within the Eastern District of Virginia, GILBERTO DOLOT CALCETA, did unlawfully, knowingly and intentionally possess with intent to distribute approximately .89 grams of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

In or about November, 2001, at Norfolk, Virginia, within the Eastern District of Virginia, EUGENE VELASCO GALATY, did unlawfully, knowingly and intentionally aid and abet the distribution of approximately 1 gram of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.)

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 17, 2002, at Norfolk, Virginia, within the Eastern District of Virginia, EUGENE VELASCO GALATY, did unlawfully, knowingly and intentionally distribute approximately 3.2 grams of a mixture and substance containing methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 18, 2002, at Northampton County, Virginia, within the Eastern District of Virginia, GILBERTO DOLOT CALCETA, did unlawfully, knowingly and intentionally possess with intent to distribute approximately 41 grams of methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).)

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 18, 2002, at Northampton County, Virginia, within the Eastern District of Virginia, JOSEPH CAYANAN JAVIER, did unlawfully, knowingly and intentionally possess with intent to distribute approximately 41 grams of methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).)

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 18, 2002, at Northampton County, Virginia, within the Eastern District of Virginia, EUGENE VELASCO GALATY, did unlawfully, knowingly and intentionally possess with intent to distribute approximately 41 grams of methamphetamine, a Schedule II narcotic controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).)

FORFEITURE

A. The defendants, GILBERTO DOLOT CALCETA, JOSEPH CAYANAN JAVIER, and EUGENE VELASCO GALATY, if convicted of any violation alleged in this Indictment, namely Count One, Conspiracy to Distribute and Possess With Intent to Distribute Methamphetamine, Counts Two through Four and Six through Nine, Distribution and Possession With Intent to Distribute Methamphetamine and Count Five, Aiding and Abetting the Distribution of Methamphetamine, shall forfeit to the United States:

1. any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation; and

2. any of the defendants' property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

(All in violation of Title 21, United States Code, Section 853)

A TRUE BILL:

Foreperson

PAUL J. McNULTY
UNITED STATES ATTORNEY

By: _____
Laura M. Everhart
Assistant United States Attorney